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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,550	04/19/2006	Ichirou Satou	NGB-40221	3769

52054 7590 09/14/2010
PEARNE & GORDON LLP
1801 EAST 9TH STREET
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CLEVELAND, OH 44114-3108

EXAMINER

STONE, ROBERT M

ART UNIT	PAPER NUMBER
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2629

NOTIFICATION DATE	DELIVERY MODE
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09/14/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Advisory Action Before the Filing of an Appeal Brief	Application No. 10/576,550	Applicant(s) SATOU ET AL.	
	Examiner Robert M. Stone	Art Unit 2629	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 26 August 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: 1, 4, 5 and 7-10.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/Chanh Nguyen/
Supervisory Patent Examiner, Art Unit 2629

/Robert M Stone/
Examiner, Art Unit 2629

Continuation of 11. does NOT place the application in condition for allowance because: Applicant submits, with respect to claim 1, that Yoneda in view of Fujiyoshi fails to disclose a display with a driving scheme arranged to drive the display portion by "sequential scanning when movie display is performed". As acknowledged by the Applicant in the previous response (dated 2/19/2010) and the Examiner's subsequent response in the latest action (dated 5/26/2010), Yoneda discloses switching from interlaced to sequential driving in accordance with the determined display data. It was further discussed that while Yoneda may disclose that interlace driving is "preferred" for motion pictures, it in no way suggests that the alternate will break the invention or precludes the use of sequential driving. On the contrary, saying "preferred" clearly indicates that the other is also possible. The term "preferred" is not the same as ONLY. However, as noted by the Examiner in the rejection Yoneda does not specifically disclose using sequential for moving images as claimed. Thus, the Examiner cited Fujiyoshi which discloses the driving method of sequential scanning when movie display is performed and interlaced scanning when another display is performed (moving-image/still-image determination circuit 11 checks the incoming image signal to determine if it's still or moving data and if the data is a moving image, sequential scanning is performed and if the data is a still image, interlaced scanning is performed [col. 6, lines 34-49]).

Applicant further submits that "neither Fujiyoshi's teachings related to power-reduction nor those relating to eliminating the display of defective elements would have motivated one of ordinary skill in the art to modify Yoneda to select sequential scanning when movie display is performed" because "Yoneda's interlaced scanning does not suffer from the problem of 'defective elements such as lags and tailings'". Examiner respectfully disagrees. Both Yoneda and Fujiyoshi pertain to liquid crystal displays which are known to suffer from image display defects such as lags and tailings due to the response speed of the liquid crystals themselves. Therefore, the driving of motion pictures of Yoneda in view of Fujiyoshi's teachings of sequential driving would improve image reproduction (providing a decrease in viewable defects) by driving the entire frame thus creating sufficiently high-quality images without visual defects such as lags and tailings [col. 4, lines 47-48] WHILE still providing the reduced power benefits associated with varying the driving methods [col. 1, line 11; col. 2, lines 11-12; col. 4, lines 43-52] (which both references disclose).